

Interview Summary	Application No.	Applicant(s)	
	09/539,032	BRAHMACHARI ET AL.	
	Examiner	Art Unit	
	Marjorie A. Moran	1631	

All participants (applicant, applicant's representative, PTO personnel):

(1) Marjorie A. Moran. (3) _____.

(2) John Freeman. (4) _____.

Date of Interview: 03 November 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: None.


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner stated that the amendment to page 7 of the specification may be new matter as it represents a step different from that previously disclosed. She further stated that steps (vii) and (viii) of amended claim 1 recite new matter. Page 7 of the specification and original claim 1 recited comparison of GENOMES, not proteins. Mr. Freeman argued that as the originally filed specification also disclosed generating invariant/conserved peptide sequences, one skilled in the art would have deduced comparison of peptides, as claimed. The examiner did not agree, and pointed to the examples. Pages 14 and 15, Examples 2, 5 and 6 disclose comparison of peptide libraries to find those which are conserved across both pathogenic and nonpathogenic strains; there is no teaching of comparing peptide libraries to find those NOT commonly conserved, as recited in amended step (vii). Further, there is no teaching anywhere for searching for a peptide sequence in a host organism, nor validation of any peptide sequence as a potential drug target. The examiner indicated that as the next Office Action was due within a biweek, the Interview Summary would be mailed with the Office Action.